

REMARKS

This Response is in reply to the Office Action mailed on July 29, 2010. Applicant requests a one-month extension of time pursuant to 37 CFR 1.136(a) to extend the period for reply to November 29, 2010 and has enclosed the requisite fee herewith.

Claim Amendments

Applicant has amended Claims 14 and 26 as shown in the above listing of claims. Applicant submits that the amendments are supported by at least paragraphs [0010] – [0011] of the specification as filed and that no statutory new matter has been added by way of amendment.

Title of the Application

In Applicant's previous response dated May 17, 2010, Applicant amended the title of the present application to correct a typographical error in the first word of Applicant's title, namely changing the word "Ransmission" to "Transmission". Applicant notes that this amendment is not yet reflected in the PAIR database.

Claim Rejections – 35 USC 103(a)

In the most recent Office Action dated July 29, 2010, the Examiner rejected Claims 14 and 26 under 35 USC 103(a) as being unpatentable over U.S. Patent No. 7,606,909 to Ely in view of U.S. Pub. No. 2003/0067928 to Gonda and U.S. Patent No. 7,260,060 to Abaye. Applicant respectfully submits that Claims 14 and 26, as amended, are not obvious in view of the cited prior art.

Specifically, Applicant submits that none of the cited prior art, alone or in combination, teaches or suggests 1) that a call request terminal can request changes in the transmission capacity of a communication path with a call requested terminal during

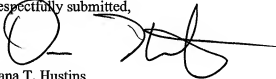
communication with the call requested terminal, or 2) that network resource management means, in response to the aforementioned request, can change the transmission capacity of the communication path to the extent that the maximum assurable capacity is not exceeded.

Accordingly, Applicant submits that neither Claim 14 nor Claim 26 is obvious in view of the prior art of record. Applicant therefore requests allowance of Claims 14 and 26, as amended. Because Claims 15-25 and 27 depend, either directly or indirectly, on Claim 14 or Claim 26, Applicant likewise requests allowance of Claims 15-25 and 27.

Conclusion

In conclusion, Applicant submits that the present application is in condition for allowance and earnestly solicit same. If any additional fees are due in connection with the filing of this Response or the accompanying papers, such as fees under 37 C.F.R. §§ 1.16 or 1.17, please charge the fees to SGR Deposit Account No. 02-4300, Order No. 034223.002. If an additional extension of time under 37 C.F.R. § 1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The additional extension fee also should be charged to SGR Deposit Account No. 02-4300, Order No. 034223.002.

Respectfully submitted,



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